

Joshua Adam Schulte, *pro se*

February 1, 2022

BY HAND

Judge Jesse M. Furman
United States District Judge
Southern District of New York
40 Foley Square
New York, New York 10007

RE: *United States v. Joshua Adam Schulte*, S3 17 Cr. 548 (JMF)

Dear Judge Furman:

The government seeks to upset the status quo that has been working by declining to provide me with an external DVD drive purchased by standby counsel. I note for the Court that the government previously provided me with a DVD burner for the past five years; the first was an internal DVD burner integrated into a laptop, and most recently an external DVD burner for the new laptop that does not have an integrated DVD drive. That external DVD burner recently died (it was old and already causing problems when I received it in October/November), and the government now refuses to provide the new DVD burner purchased by standby counsel.

I note for the Court that I rely upon the DVD burner for transferring all my unclassified motions, letters, notes for counsel, notes for my expert, trial preparation, trial demonstratives, trial exhibits, etc. I have always used the DVD burner to transfer these documents to DVD then mail them directly to counsel. This use of the DVD drive dates back five years to the beginning of the case—even though it was not used as often as it is now that I am *pro se*. See Letter dated December 2, 2021 and pretrial conference letter dated December 16, 2021 at 3. Indeed, at the December 20, 2021 pretrial conference, the Court declined my request to change this procedure by utilizing MDC staff to orchestrate the transfer of the files directly instead of mailing the DVDs to standby counsel.

However, the government now seeks to upset that status quo by refusing to provide me with a DVD burner at all. The government simply seeks to make it impossible for me to represent myself and meet Court deadlines at all; there is simply no reason to upset the status quo now.

United States v. Schulte, S3 17 Cr. 548 (JMF); February 1, 2022 letter from *pro se* defendant

I now no longer have an ability to transfer my work to my attorneys for review and printing (and delivery to this Court), for communication with my expert on technical information, for planning and creating trial exhibits and trial preparation. All of this is now stopped.

I respectfully ask the Court to order the government to abide by the status quo in place since Judge Crotty, and provide me with the DVD drive purchased and provided to them by standby counsel.

Until this issue is resolved, I cannot meet any Court deadlines. I cannot file my CIPA Protective Order Reply nor will I be able to file a reply to the government's opposition to the last motion. I ask the Court to postpone these and other filing deadlines.

The government shall respond to Defendant's letter by **February 8, 2022**. Defendants' standby counsel has already responded to the government's proposal regarding the Protective Order. See ECF No. 689. To the extent that Defendants' objections are not adequately covered in that letter, despite the Court having already granted an extension of the deadline, see ECF No. 680, Defendant may have until **February 10, 2022**, to file any additional response. The Court is unsure what reply Defendant refers to in the final paragraph of his letter. Finally, the Court strongly urges the government, Defendant, and standby counsel to work together to address the issues like the one that is the subject of this letter without seeking intervention from the Court.



February 4, 2022

Respectfully submitted,

Joshua Adam Schulte

